

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rule 72.2)

To:

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Vorfrist ..... not.

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Fristablauf ..... not.

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Applicant's or agent's file reference  
15626/-/T

**IMPORTANT NOTIFICATION**

International application No.  
PCT/DE2003/003293

International filing date (*day/month/year*)  
04 October 2003 (04.10.2003)

Applicant

SG TECHNOLOGIES GMBH et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

BR, EP, US

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))  
☐ publication of the international application (under Rule 12.4)  
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ The international application as originally filed/furnished

☒ the description:

pages \_\_\_\_\_ 2, 3, 5-8 \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_ 1, 4, 4a \_\_\_\_\_ received by this Authority on 07 October 2004 (07.10.2004)  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☒ the claims:

pages \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages\* \_\_\_\_\_ 1-7 \_\_\_\_\_ received by this Authority on 07 October 2004 (07.10.2004)  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☒ the drawings:

pages \_\_\_\_\_ 1/2-2/2 \_\_\_\_\_, as originally filed/furnished  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_  
☐ the claims, Nos. \_\_\_\_\_  
☐ the drawings, sheets/figs \_\_\_\_\_  
☐ the sequence listing (*specify*): \_\_\_\_\_  
☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_  
☐ the claims, Nos. \_\_\_\_\_  
☐ the drawings, sheets/figs \_\_\_\_\_  
☐ the sequence listing (*specify*): \_\_\_\_\_  
☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE 02/03293

## V. Reasoned statement under Article 33(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

## 2. Citations and explanations

Assuming that the problems of clarity outlined below (see point 4) are to be remedied, the subject matter of independent claim 1 and of dependent claims 2 to 7 can be regarded as novel, inventive and industrially applicable (PCT Article 33(2), (3) and (4)).

1. Prior art

Reference is made to US 4448430 A (document D1), which is considered to be the closest prior art. EP 0586073 (document D5), as listed in the search report, is also cited.

The essential difference between the claimed invention and the closest prior art is that in the present invention the longitudinal reinforcement for the hollow sealing profile is moulded as the profile is being extruded by modifying the extrusion orifice. D1 makes no mention of orifice modification during extrusion.

2. Technical problem addressed

The object of the invention is to improve the process for producing hollow extruded seals in such a way as to be able to achieve uniform dimensional stability even in curved

portions of the profile by simple and inexpensive means.

3. Solution to the problem

The invention solves the aforementioned problem by modifying the cross-section of the extrusion orifice during production of the extruded seal so that the reinforcement is not moulded continuously along the hollow extrudate. In this way it is a simple matter to add the reinforcement selectively in those portions of the hollow profile which will undergo sharp bending when the seal is fitted.

Document D1 discloses an extruded seal of the same type which also has reinforcements at the curvature points. This seal can also be extruded as a single piece, in which case the reinforcement can be made continuous. D1 does not specify how the reinforcements would look if they were not extruded continuously, and it is not obvious to a person skilled in the art.

The stated problem is solved by the combination of features specified in independent claim 1 of the present application, which combination is not known from the prior art.

4. Clarity

The application fails to meet the requirements of PCT Article 6 because claim 1 is not clear.

Independent claim 1 is directed to a product, namely an "extruded seal", and the preamble of the claim specifies various features of that product. The characterising part of the claim specifies features that relate only to the process for producing the extruded seal and are not clearly apparent in the finished product.

Document D5 (for example) defines a process which is different from the present invention and yet also produces an extruded seal with the features specified in the preamble of claim 1 of the present application.

In order to provide a clear definition of the invention, independent claim 1 should be directed to a production process rather than to the resulting product, and the dependent claims and also the statement of the problem in the description should be amended accordingly.

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